



WEST VIRGINIA SECRETARY OF STATE

KRIS WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia  
Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Insurance Commission

TITLE-SERIES: 114-02A

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: W.Va. Code §§33-2-10, 33-12-37, 33-12B-6,  
and 33-12B-12

RULE NAME: 114-02A Fingerprinting Requirements for Applicants for Insurance Producer and Insurance  
Adjuster License

PLEASE SELECT A SUNSET PROVISION OPTION:

EXTEND THE SUNSET DATE OF THE RULE.

10 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS  INCORPORATED BY REFERENCE

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The OIC proposes extending the sunset date on 114 CSR 2A, Fingerprinting Requirements for Applicants for Insurance Producer and Insurance Adjuster License, which was last amended in 2021 to include licensed insurance adjusters in the fingerprint background check process. During the 2020 Legislative Session, House Bill 4502 was passed which revised Article 12B, Chapter 33 of the West Virginia Code regarding the licensing requirements of insurance adjusters. One of the revisions made to Article 12B was to require fingerprint background checks on insurance adjusters in the same manner as was previously required of insurance producers. The revisions to 114 CSR 2A were needed in 2021 to conform the existing rule to the updated statutory requirements, specifically to include insurance adjusters in the rules provisions and to provide guidance and instruction for insurance adjusters to undergo the same background checks and fingerprinting requirements as licensed producers/agents. The controlling statute remains unchanged from its 2020 amendment and, accordingly, the rule needs extended.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

This rule was amended in 2021 because of 2020 legislation (HB 4502). The statutory requirements for fingerprint background checks on insurance adjusters remain in statute and, thus, the rule requires extension.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

No additional impact.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

No additional impact.

C. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2025 Increase/Decrease (use "-")	2026 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost			
Personal Services			
Current Expenses			
Repairs and Alterations			
Assets			
Other			
2. Estimated Total Revenues			

D. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

**BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.**

**Yes**

**Anoop Bhasin -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.**